

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SHIRAKI et al.	Examiner:	DINH, B.
Serial No.:	10/537708	Group Art Unit:	1795
Filed:	June 2, 2005	Docket:	10921.323USWO
Title:	ANALYSIS INSTRUMENT		

CERTIFICATE OF TRANSMISSION

I hereby certify that the papers listed below are being transmitted by EFS Web to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 22 JANUARY 2009.

By:
Name: Heidi McCarty

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed.

Applicant respectfully brings to the Examiner's attention that the references listed on the enclosed Form 1449 were cited in a Japanese Office Action, dated 6 January 2009, received in the corresponding Japanese Application.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

US 6,875,327, US 2004/0178066 and US 2004/0178067 correspond to JP 2001-208715.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed
(CHECK ONE):

- ☐ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☒ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or

- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND the requisite Statement is below AND the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

Applicants hereby state that:

- ☒ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application or by the USPTO in a related application not more than three months prior to the filing date of the Information Disclosure Statement

- ☒ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER & LARSON,
P.C.

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Dated: 22 January 2009

By: 

Douglas P. Mueller
Reg. No. 30,300

DPM:hjm